

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of claims:

1-8. (Canceled)

9. (Currently Amended) The diesel engine as claimed in claim [[2]]16, wherein the injection-system fuel supply passage includes a three-way valve having an adjustable degree of opening, and a fuel pipe for a supply of fuel from the fuel tank is connected to the three-way valve.

10. (Canceled).

11. (Currently Amended) ~~The diesel engine as claimed in claim 9,~~ A diesel engine comprising:

a fuel supply passage via which fuel is supplied from a fuel tank to an oil pan through a supply pump;

a lubrication-system fuel supply passage via which fuel is supplied from the oil pan to engine parts to be lubricated through a lubricating oil pump;

an injection-system fuel supply passage via which fuel is supplied from the oil pan to an injection system through an injection pump,

a lubrication-system fuel return passage via which return fuel from the engine parts is returned to the oil pan; and

an injection-system fuel return passage via which return fuel from the injection system is returned to the fuel tank,

wherein the injection-system fuel supply passage includes a three-way valve having an adjustable degree of opening, and a fuel pipe for a supply of fuel from the fuel tank is connected to the three-way valve,

wherein the adjustable degree of opening of three-way valve depends on the temperature of fuel.

12-15. (Canceled).

16. (Currently Amended) ~~The diesel engine as claimed in claim 2,~~ A diesel engine comprising:

a fuel supply passage via which fuel is supplied from a fuel tank to an oil pan through a supply pump;

a lubrication-system fuel supply passage via which fuel is supplied from the oil pan to engine parts to be lubricated through a lubricating oil pump;

an injection-system fuel supply passage via which fuel is supplied from the oil pan to an injection system through an injection pump,

a lubrication-system fuel return passage via which return fuel from the engine parts is returned to the oil pan; and

an injection-system fuel return passage via which return fuel from the injection system is returned to the fuel tank,

wherein a suction port of the injection-system fuel supply passage in the oil pan is located at a position higher than that at which a suction port of the lubrication-system fuel supply passage is located.

17. (Currently Amended) ~~The diesel engine as claimed in claim 2, wherein:~~ A diesel engine comprising:

a fuel supply passage via which fuel is supplied from a fuel tank to an oil pan through a supply pump, the supply pump in the fuel supply passage is a mechanical supply pump driven by a crankshaft;

a lubrication-system fuel supply passage via which fuel is supplied from the oil pan to engine parts to be lubricated through a lubricating oil pump;

an injection-system fuel supply passage via which fuel is supplied from the oil pan to an injection system through an injection pump,

a lubrication-system fuel return passage via which return fuel from the engine parts is returned to the oil pan;

an injection-system fuel return passage via which return fuel from the injection system is returned to the fuel tank,

~~the supply pump in the fuel supply passage is a mechanical supply pump driven by a crankshaft;~~

a three-way valve and a regulator are arranged in this order toward a downstream side from the mechanical supply pump; and

a return pipe is arranged via which excessive fuel from the mechanical supply pump is returned to an upstream side of the mechanical supply pump by controlling the adjustable degree of opening of the three-way valve.

18. (Canceled).